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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,528	09/17/2001	Michael John Watson	DC 4952	8641

7590

08/15/2003

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EXAMINER

CHAMBLISS, ALONZO

ART UNIT

PAPER NUMBER

2827

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/954,528

Applicant(s)

WATSON, MICHAEL JOHN

Examiner

Alonzo Chambliss

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 and 15 is/are allowed.
- 6) ☒ Claim(s) 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 5/5/03 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

1. Amendment A filed on 5/5/03 has been fully considered and made of record in Paper no. 6.

Response to Arguments

2. Applicant's arguments with respect to claim 14 have been considered but are moot in view of the new ground(s) of rejection. Therefore, this action is made non-final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 14 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kitamura (U.S. 6,555,187).

With respect to Claim 14, Kitamura teaches an adhesive composition wherein insulating particles are present in an amount sufficient to obtain an adhesive with linear thermal expansion coefficient before and after any glass transition temperature of less than 240 micrometer/m/⁰C (i.e. 10×10^{-5} mm/mm/⁰C

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or less) between -55°C and $+200^{\circ}\text{C}$ when measured at a heating rate of 5°C /minute (see col. 2 lines 53-67 and col. 3 lines 1-65).

Allowable Subject Matter

5. Claims 1-13 and 15 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest the combination of a curable polymeric base material and contained in said polymeric base material with an inorganic insulator particles having an average particle size of 1 micrometer to 1000 micrometers and a major axis to minor axis ratio of about 1.0 to 1.5. Inorganic insulator particles are present in the composition in an amount sufficient to provide a planar adhesive bond thickness between substrates being joined by the adhesive. At least one low coefficient of thermal expansion filler having an average particle size of less than 10 micrometers in an amount of at least greater than 50 weight percent based on the weight of the curable polymeric base material, wherein the low coefficient of thermal expansion fillers having sizes of greater than 10 to about 100 micrometers are present in less than 0.1 weight percent based on the total weight of the low coefficient of thermal expansion fillers present in the adhesive composition.

The prior art made of record and not relied upon is cited primarily to show the product and device of the instant invention.

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Conclusion

7. Any inquiry concerning the communication or earlier communications from the examiner should be directed to Alonzo Chambliss whose telephone number is (703) 306-9143. The fax phone number for this Group is (703) 308-7722 or 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-7956

AC/August 10, 2003


Alonzo Chambliss
Patent Examiner
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